

Water Resources Program
Application for Change/Transfer
of Water Right

For filing with the Department of Ecology or with
County Water Conservancy Boards

For Ecology Use
(Date Stamp)

13 JAN 11 A9:06

DEPT. OF ECOLOGY
FISCAL & BUDGET

**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 MUST ACCOMPANY THIS APPLICATION
IF FILED WITH THE DEPARTMENT OF ECOLOGY**

(Check all that apply.)

- ☐ Change purpose(s) of use
☐ Add purpose(s) of use
☒ Change point(s) of diversion/withdrawal
☐ Add point(s) of diversion/withdrawal
☒ Change/transfer place of use
☒ Other (i.e. consolidation, intertie, trust water)

Explain: **Increase irrigation acreage.**
See Associated Earth Sciences Inc. Project
Summary Report for Water Right S1-07520C.

FOR OFFICIAL USE ONLY

DATE APPLICATION RECEIVED 1-11-13
CHECK NO. 1086 FEE \$ 50-
DATE ACCEPTED 1/11/13 BY PK
CHANGE NO. CS1-#07520C
COUNTY Whatcom WRIA 1
SPECIAL AREA _____

SEPA: ☒ EXEMPT ☐ NOT EXEMPT
ECY CODING: 001-002-WR10285-000011
APP NO. _____ PERMIT NO. _____
CERT NO. _____ CERT OF CHG NO. _____

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information

APPLICANT/BUSINESS NAME	PHONE NO.	FAX NO.
Marty Maberry/MDM Properties, LLC	360-354-2094	
ADDRESS		
816 Loomis Trail Road		
CITY	STATE	ZIP CODE
Lynden	WA	98264-911
CONTACT (IF DIFFERENT FROM ABOVE)	PHONE NO.	FAX NO.
Charles S. Lindsay/Associated Earth Sciences, Inc.	425-259-0522	425-252-3408
ADDRESS		
2911 1/2 Hewitt Ave., Suite 2		
CITY	STATE	ZIP CODE
Everett	WA	98201
LEGAL LAND OWNER or PART OWNER OF PROPOSED PLACE OF USE	PHONE NO.	FAX NO.
Marty Maberry/MDM Properties, LLC	360-354-2094	
ADDRESS		
816 Loomis Trail Road		
CITY	STATE	ZIP CODE
Lynden	WA	98264-911

RECEIVED 1/23/13

2. Water Right Information

WATER RIGHT OR CLAIM NUMBER S1-07520CWRIS	RECORDED NAME(S) Ernest Crandall
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS: _____	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

See Associated Earth Sciences Inc. Project Summary Report for Water Right S1-07520C.

3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Bertrand Creek	1	SE	NE	11	40N	2E	400211475380	

B. Proposed

SOURCE	NO.	1/2	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Ground Water Wells	1	E	NE	11	40N	2E	400211475380	

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☒ YES ☐ NO PROPOSED: ☒ YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME: _____

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment. See Associated Earth Sciences Inc. Project Summary Report for Water Right S1-07520C.

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	0.25 CFS	46.1	April 15 through October 1

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	112 gpm	46.1	April 15 through October 1

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:

S1/2, SE1/4, NE1/4 and NE1/4, SE1/4, NE1/4 of Section 11, T40N, R2E

1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
	NE	11	40N	2E	Whatcom	400211475380 400211420285	23

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? ☐ YES ☒ NO

IF NO, PROVIDE OWNER(S) NAME: **See Associated Earth Sciences Inc. Project Summary Report for Water Right S1-07520C.**

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:

Geo Tax Parcel 400211475380 (62.19 acres) located in the E1/2, NE1/4 of Section 11, Township 40 north, Range 2 east.

1/2	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
E	NE	11	40N	2E	Whatcom	400211475380	53

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? ☒ YES ☐ NO

IF NO, PROVIDE OWNER(S) NAME: _____

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map. See Associated Earth Sciences Inc. Project Summary Report for Water Right S1-07520C.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?

☐ ES ☒ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): _____

6. Remarks and Other Relevant Information:

Deficit irrigation methods are proposed to increase the irrigation acres (25 acres) permitted under this water right to 53.0 acres. See Associated Earth Sciences Inc., Project Summary Report for Water Right S1-07520C.

Moving from surface water diversion to ground water withdrawal for water right S1-07520C should result in a significant increase in the stream flow in Bertrand Creek, specifically during critical low-flow periods of the year and; therefore, should be considered an enhancement to fisheries habitat.

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request. For further information, contact: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477. Phone (360) 570-3265.

7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in preparing this above application, I understand that all responsibility for the accuracy of the information rests with me.

Marty Maberry, President MDM Properties
Applicant Printed Name – Title

Mark Maberry / mer.
Applicant Signature

1 / 7 / 13
(Date)

Marty Maberry, President MDM Properties
Water Right Holder Printed Name

Marty Maberry
Water Right Holder Signature

1 / 7 / 13
(Date)

Marty Maberry, President MDM Properties
Land Owner of Existing Place of Use Printed Name

Marty Maberry
Land Owner of Existing Place of Use Signature

1 / 7 / 13
(Date)

Marty Maberry, President MDM Properties
Land Owner of Proposed Place of Use Printed Name

Marty Maberry
Land Owner of Proposed Place of Use Signature

1 / 7 / 13
(Date)

Please check the region in which the project is located:

*Submit your application to: DEPARTMENT OF ECOLOGY CASHIERING SECTION PO BOX 47611 OLYMPIA, WA 98504-7611	<input type="checkbox"/> Central Regional Office 15 W Yakima Avenue, Suite 200 Yakima, WA 98902 (509) 575-2490	<input type="checkbox"/> Eastern Regional Office 4601 N. Monroe Street Spokane, WA 99205-1295 (509) 329-3400
	<input checked="" type="checkbox"/> Northwest Regional Office 3190 – 160 th Avenue SE Bellevue, WA 98008-5452 (425) 649-7000	<input type="checkbox"/> Southwest Regional Office PO Box 47775 Olympia, WA 98504-7775 (360) 407-6300

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ APPLICATION FEE NOT ENCLOSED ☐ MAP NOT INCLUDED or INCOMPLETE
☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE
☐ OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____/____/____

ATTACHMENT FOR
Application for Change/Transfer of Water Right

Signatures:

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Robert VanBeek

- ☐ Applicant Printed Name – Title
☐ Water Right Holder Printed Name
☒ Land Owner of Existing Place of Use Printed Name
☐ Land Owner of Proposed Place of Use Printed Name

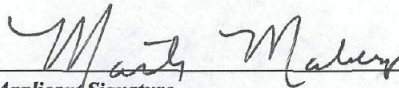


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Marty Maberry

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